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**BEFORE THE  
RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

Case No. S-353

SHANNON MARIE HAASL  
5649 Amaya Drive, #336  
La Mesa, CA 91942

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
above-entitled proceedings that the following matters are true:

**PARTIES**

1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory  
Care Board of California. She brought this action solely in her official capacity and is represented  
in this matter by Bill Lockyer, Attorney General of the State of California, by Samuel K.  
Hammond, Deputy Attorney General.

2. Respondent Shannon Marie Haasl (Respondent) is representing herself in  
this proceeding and has chosen not to exercise her right to be represented by counsel.

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3. On or about May 24, 2005, Respondent filed an application dated May 20, 2005, with the Respiratory Care Board to obtain a Respiratory Care Practitioner's License. The Board denied the application on August 9, 2005. On or about August 15, 2005, Board received Respondent's request for a hearing to contest the denial of her application for licensure.

## JURISDICTION

4. Statement of Issues No. S-353 was filed before the Respiratory Care Board (Board) , Department of Consumer Affairs, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on December 9, 2005. Respondent timely filed her Notice of Defense contesting the Statement of Issues. A copy of Statement of Issues No. S-353 is attached as Exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Statement of Issues No. S-353. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. S-353.

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9. Respondent agrees that her application for licensure as a respiratory care practitioner is subject to denial and she agrees to be bound by the Respiratory Care Board (Board) 's imposition of discipline as set forth in the Disciplinary Order below.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Respiratory Care Board. Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory Care Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

## DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent Shannon Marie Haasl be issued a conditional license to practice respiratory care, which shall be on probation to the Board for a period of two (2) years on the following terms and conditions:

1. RESTRICTION OF PRACTICE Respondent may not be employed or function as a member of a respiratory care management or supervisory staff during the entire length of probation. This includes lead functions. Respondent is prohibited from working in home care unless it is under direct supervision and personal observation.

1                   2.     SUPERVISOR QUARTERLY REPORTS Supervisor Quarterly Reports  
2 of Performance are due for each year of probation and the entire length of probation from each  
3 employer, as follows:

4                   For the period covering January 1<sup>st</sup> through March 31<sup>st</sup>, reports are to be  
5 completed and submitted between April 1<sup>st</sup> and April 7<sup>th</sup>. For the period covering April 1<sup>st</sup>  
6 through June 30<sup>th</sup>, reports are to be completed and submitted between July 1<sup>st</sup> and July 7<sup>th</sup>. For  
7 the period covering July 1<sup>st</sup> through September 30<sup>th</sup>, reports are to be completed and submitted  
8 between October 1<sup>st</sup> and October 7<sup>th</sup>. For the period covering October 1<sup>st</sup> through December 31<sup>st</sup>,  
9 reports are to be completed and submitted between January 1<sup>st</sup> and January 7<sup>th</sup>.

10                  Respondent is ultimately responsible for ensuring her employer(s) submits  
11 complete and timely reports. Failure to ensure each employer submits complete and timely  
12 reports shall constitute a violation of probation.

13                   3.     OBEY ALL LAWS Respondent shall obey all laws, whether federal,  
14 state, or local. Respondent shall also obey all regulations governing the practice of respiratory  
15 care in California.

16                  Respondent shall notify the Board in writing within 14 days of any incident  
17 resulting in her arrest, or charges filed against, or a citation issued against Respondent.

18                   4.     QUARTERLY REPORTS Respondent shall file quarterly reports of  
19 compliance under penalty of perjury, on forms to be provided to the probation monitor assigned  
20 by the Board. Omission or falsification in any manner of any information on these reports shall  
21 constitute a violation of probation and shall result in the filing of an accusation and/or a petition to  
22 revoke probation against Respondent's respiratory care practitioner license.

23                  Quarterly report forms will be provided by the Board. Respondent is responsible  
24 for contacting the Board to obtain additional forms if needed. Quarterly reports are due for each  
25 year of probation and the entire length of probation as follows:

26                  For the period covering January 1<sup>st</sup> through March 31<sup>st</sup>, reports are to be  
27 completed and submitted between April 1<sup>st</sup> and April 7<sup>th</sup>. For the period covering April 1<sup>st</sup>  
28 through June 30<sup>th</sup>, reports are to be completed and submitted between July 1<sup>st</sup> and July 7<sup>th</sup>. For

the period covering July 1<sup>st</sup> through September 30<sup>th</sup>, reports are to be completed and submitted between October 1<sup>st</sup> and October 7<sup>th</sup>. For the period covering October 1<sup>st</sup> through December 31<sup>st</sup>, reports are to be completed and submitted between January 1<sup>st</sup> and January 7<sup>th</sup>.

Failure to submit complete and timely reports shall constitute a violation of probation.

5. PROBATION MONITORING PROGRAM Respondent shall comply with requirements of the Board appointed probation monitoring program, and shall, upon reasonable request, report to or appear to a local venue as directed.

Respondent shall claim all certified mail issued by the Board, respond to all notices of reasonable requests timely, and submit Annual Reports, Identification Update reports or other reports similar in nature, as requested and directed by the Board or its representative.

Respondent is encouraged to contact the Board's Probation Program at any time she has a question or concern regarding her terms and conditions of probation.

Failure to appear for any scheduled meeting or examination, or cooperate with the requirements of the program, including timely submission of requested information, shall constitute a violation of probation and will result in the filing of an accusation and/or a petition to revoke probation against Respondent's respiratory care practitioner license.

6. PROBATION MONITORING COSTS All costs incurred for probation monitoring during the entire probation shall be paid by the Respondent. The monthly cost may be adjusted as expenses are reduced or increased. Respondent's failure to comply with all terms and conditions may also cause this amount to be increased.

All payments for costs are to be sent directly to the Respiratory Care Board and must be received by the date(s) specified. (Periods of tolling will not toll the probation monitoring costs incurred.)

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1 If Respondent is unable to submit costs for any month, she shall be required  
2 instead to submit an explanation of why she is unable to submit the costs, and the date(s) she will  
3 be able to submit the costs including payment amount(s). Supporting documentation and  
4 evidence of why the Respondent is unable to make such payment(s) must accompany this  
5 submission.

6 Respondent understands that failure to submit costs timely is a violation of  
7 probation and submission of evidence demonstrating financial hardship does not preclude the  
8 Board from pursuing further disciplinary action. However, Respondent understands providing  
9 evidence and supporting documentation of financial hardship may delay further disciplinary action.

10 In addition to any other disciplinary action taken by the Board, an unrestricted  
11 license will not be issued at the end of the probationary period and the respiratory care  
12 practitioner license will not be renewed, until such time all probation monitoring costs have been  
13 paid.

14 The filing of bankruptcy by Respondent shall not relieve the Respondent of her  
15 responsibility to reimburse the Board for costs incurred.

16 7. EMPLOYMENT REQUIREMENT Respondent shall be employed a  
17 minimum of 24 hours per week as a respiratory care practitioner for a minimum of 2/3 of her  
18 probation period.

19 Respondent may substitute successful completion of a minimum of thirty (30)  
20 additional continuing education hours, beyond that which is required for license renewal, for each  
21 8 months of employment required. Respondent shall submit proof to the Board of successful  
22 completion of all continuing education requirements. Respondent is responsible for paying all  
23 costs associated with fulfilling this term and condition of probation.

24 8. NOTICE TO EMPLOYER Respondent shall be required to inform her  
25 employer, and each subsequent employer during the probation period, of the discipline imposed  
26 by this decision by providing her supervisor and director and all subsequent supervisors and  
27 directors with a copy of the decision and order, and the Statement(s) of Issues or Accusation(s) in  
28 this matter prior to the beginning of or returning to employment or within 14 days from each

1 change in a supervisor or director.

2 If Respondent is employed by or through a registry [and is not restricted from  
3 working for a registry], Respondent shall make each hospital or establishment to which she is sent  
4 aware of the discipline imposed by this decision by providing her direct supervisor and  
5 administrator at each hospital or establishment with a copy of this decision, and the Statement(s)  
6 of Issues or Accusation(s) in this matter prior to the beginning of employment. This must be done  
7 each time there is a change in supervisors or administrators.

8 The employer will then inform the Board, in writing, that she is aware of the  
9 discipline, on forms to be provided to the Respondent. Respondent is responsible for contacting  
10 the Board to obtain additional forms, if needed. All reports completed by the employer must be  
11 submitted from the employer directly to the Board.

12 Respondent shall execute a release authorizing the Board or any of its  
13 representatives to review and obtain copies of all employment records and discuss and inquire of  
14 the probationary status with any of Respondent's supervisors or directors.

15 9. CHANGES OF EMPLOYMENT OR RESIDENCE Respondent shall  
16 notify the Board, and appointed probation monitor, in writing, of any and all changes of  
17 employment, location, and address within 14 days of such change. This includes, but is not  
18 limited to, applying for employment, termination or resignation from employment, change in  
19 employment status, change in supervisors, administrators or directors.

20 Respondent shall also notify her probation monitor AND the Board IN WRITING  
21 of any changes of residence or mailing address within 14 days. P.O. Boxes are accepted for  
22 mailing purposes, however the Respondent must also provide her physical residence address as  
23 well.

24 10. COST RECOVERY Respondent shall pay to the Board a sum not to  
25 exceed the costs of the investigation and prosecution of this case. That sum shall be \$1,052.00  
26 and shall be paid in full directly to the Board, in equal quarterly payments, within 12 months from  
27 the effective date of this decision. Cost recovery will not be tolled.

28 If Respondent is unable to submit costs timely, she shall be required instead to

1 submit an explanation of why she is unable to submit these costs in part or in entirety, and the  
2 date(s) she will be able to submit the costs including payment amount(s). Supporting  
3 documentation and evidence of why the Respondent is unable to make such payment(s) must  
4 accompany this submission.

5 Respondent understands that failure to submit costs timely is a violation of  
6 probation, and submission of evidence demonstrating financial hardship does not preclude the  
7 Board from pursuing further disciplinary action. However, Respondent understands that  
8 providing evidence and supporting documentation of financial hardship may delay further  
9 disciplinary action.

10 Consideration to financial hardship will not be given should Respondent violate  
11 this term and condition, unless an unexpected AND unavoidable hardship is established from the  
12 date of this order to the date payment(s) is due.

13 The filing of bankruptcy by the Respondent shall not relieve the Respondent of her  
14 responsibility to reimburse the Board for these costs.

15 11. TOLLING FOR OUT-OF-STATE RESIDENCE OR PRACTICE

16 Periods of residency or practice outside California, whether the periods of residency or practice  
17 are temporary or permanent, will toll the probation period, but will not toll the cost recovery  
18 requirement, nor the probation monitoring costs incurred. Travel out of California for more than  
19 30 days must be reported to the Board in writing prior to departure. Respondent shall notify the  
20 Board, in writing, within 14 days, upon her return to California and prior to the commencement of  
21 any employment where representation as a respiratory care practitioner is/was provided.

22 12. VALID LICENSE STATUS Respondent shall maintain a current, active  
23 and valid license for the length of the probation period. Failure to pay all fees and meet  
24 Continuing Education requirements prior to her license expiration date shall constitute a violation  
25 of probation.

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28 13. VIOLATION OF PROBATION If Respondent violates any term of the



1 probation in any respect, the Board, after giving Respondent notice and the opportunity to be  
2 heard, may revoke probation and carry out the disciplinary order that was stayed. If a petition to  
3 revoke probation is filed against Respondent during probation, the Board shall have continuing  
4 jurisdiction and the period of probation shall be extended until the matter is final. No petition for  
5 modification of penalty shall be considered while there is an accusation or petition to revoke  
6 probation or other penalty pending against Respondent.

7                   14.     COMPLETION OF PROBATION Upon successful completion of  
8 probation, Respondent's license shall be fully restored.

9   ACCEPTANCE

10                   I have carefully read the Stipulated Settlement and Disciplinary Order. I  
11 understand the stipulation and the effect it will have on my Respiratory Care Practitioner's  
12 License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly,  
13 and intelligently, and agree to be bound by the Decision and Order of the Respiratory Care Board.

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15 DATED: January 12, 2006.

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17   Original signed by: \_\_\_\_\_  
18   SHANNON MARIE HAASL (Respondent)  
19   Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

DATED: January 19, 2006.

BILL LOCKYER, Attorney General  
of the State of California

Original signed by:  
SAMUEL K. HAMMOND  
Deputy Attorney General  
Attorneys for Complainant

**BEFORE THE  
RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

Case No. S-353

SHANNON MARIE HAASL  
5649 Amaya Drive, #336  
La Mesa, CA 91942

Respondent.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Respiratory Care Board of California, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on April 11, 2006.

It is so ORDERED March 29, 2006.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT  
PRESIDENT, RESPIRATORY CARE BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA